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September 24, 2001

LAW OFFICES OF JONATHAN ALAN QUINE

By: Juliana Thomas



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sergey A. Selifonov

Application No.: 09/495,668

Filed: February 1, 2000

For: METHODS OF POPULATING DATA
STRUCTURES FOR USE IN
EVOLUTIONARY SIMULATIONS

Examiner: Kim, Y.

Art Unit: 1631

**RESPONSE TO RESTRICTION
REQUIREMENT and AMENDMENT**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Restriction Requirement dated **May 22, 2001**, Applicants elect group I, claims 1-30, with traverse. Applicants traverse on the basis that groups were already initially examined together (Examiner's Action, Paper 5). The issues on the record are minor in nature, relating to objections to the specification, minor claim objections (i.e., issues of grammar) and a single minor indefiniteness issue that was addressed in Applicants' previous response. Accordingly, even if the groups are independent and distinct as alleged, no undue examination burden can be shown to exist for co-examination of the groups and they should be rejoined. MPEP § 803. Applicants respectfully request rejoinder of groups I and II on this basis.

AMENDMENT AND CHANGE TO PRIORITY CLAIM

Please replace paragraph 1 of the application (starting on page 1, line 4 and ending on page 1, line 7) with the following paragraphs.

--This application is a continuation of "METHODS OF POPULATING DATA STRUCTURES FOR USE IN EVOLUTIONARY SIMULATIONS" by Selifonov and Stemmer, USSN PCT/US00/01138, filed January 18, 2000, and is a continuation-in-part of

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“METHODS OF POPULATING DATA STRUCTURES FOR USE IN EVOLUTIONARY SIMULATIONS” by Selifonov and Stemmer, USSN 09/416,837, filed October 12, 1999.

This application is also a continuation-in-part of **“METHODS FOR MAKING CHARACTER STRINGS, POLYNUCLEOTIDES AND POLYPEPTIDES HAVING DESIRED CHARACTERISTICS”** by Selifonov et al., filed January 18, 2000, USSN 09/494,282, and is a continuation-in-part of **“METHODS FOR MAKING CHARACTER STRINGS, POLYNUCLEOTIDES AND POLYPEPTIDES HAVING DESIRED CHARACTERISTICS”** by Selifonov et al., filed January 18, 2000, USSN PCT/US00/01202; which are continuation-in-part applications of **“METHODS FOR MAKING CHARACTER STRINGS, POLYNUCLEOTIDES AND POLYPEPTIDES HAVING DESIRED CHARACTERISTICS”** by Selifonov et al., USSN 09/416,375, filed October 12, 1999, which is a non provisional of **“METHODS FOR MAKING CHARACTER STRINGS, POLYNUCLEOTIDES AND POLYPEPTIDES HAVING DESIRED CHARACTERISTICS”** by Selifonov and Stemmer, USSN 60/116,447, filed January 19, 1999 and a non-provisional of **“METHODS FOR MAKING CHARACTER STRINGS, POLYNUCLEOTIDES AND POLYPEPTIDES HAVING DESIRED CHARACTERISTICS”** by Selifonov and Stemmer, USSN 60/118,854, filed February 5, 1999.

This application is also a continuation-in-part of **“OLIGONUCLEOTIDE MEDIATED NUCLEIC ACID RECOMBINATION”** by Crameri et al., Filed January 18, 2000, USSN 09/484,850 and a continuation-in-part of **“OLIGONUCLEOTIDE MEDIATED NUCLEIC ACID RECOMBINATION”** by Crameri et al., Filed January 18, 2000, USSN PCT/US00/01203, which are continuation-in-part applications of **“OLIGONUCLEOTIDE MEDIATED NUCLEIC ACID RECOMBINATION”** by Crameri et al., USSN 09/408,392, filed September 28, 1999, which is a non-provisional of **“OLIGONUCLEOTIDE MEDIATED NUCLEIC ACID RECOMBINATION”** by Crameri et al., USSN 60/118,813, filed February 5, 1999 and a non-provisional of **“OLIGONUCLEOTIDE MEDIATED NUCLEIC ACID RECOMBINATION”** by Crameri et al., USSN 60/141,049, filed June 24, 1999.

Each of these prior applications is incorporated by reference in their entirety for all purposes. The present applications claims priority to and benefit of each of these applications under 35 USC §119 and/or §120 as appropriate.--

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conclude

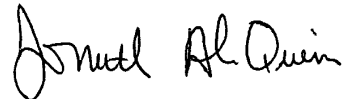
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Please note that **the preceding amendment changes the priority claim in the present case.** A request for a corrected filing receipt reflecting the changed priority accompanies this amendment.

If a telephone conference would expedite issuance of the application, please telephone the undersigned or Tom Hunter (Reg. No. 38,498) at the phone number below.

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Respectfully submitted,



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